

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re

Alexander E. Jones,
Debtor,

Bankruptcy
Case No. 22-33553 (CML)

Chapter 11

David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, Robert Parker, and Richard M. Coan, as Chapter 7 Trustee for the Estate of Erica Lafferty

Plaintiffs,

v.

Alexander E. Jones and Free Speech Systems, LLC,
Defendants.

Adv. Pro. No.: 22-03037 (CML)

**DECLARATION OF ALINOR C. STERLING IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

ALINOR C. STERLING declares pursuant to 28 U.S.C. § 1746:

1. My name is Alinor Sterling. I am over the age of twenty-one years and am fully competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, which are true and correct.

2. I am an attorney in the law firm of Koskoff Koskoff & Bieder, PC. I am counsel for David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, and Robert Parker in this action.

3. I submit this affidavit in support of Plaintiffs' Motion for Summary Judgment.

4. Attached hereto as Exhibit 1 is the complaint in *Lafferty, et al. v. Jones, et al.*, Case No. X06-UWY-CV-18-6046436-S,¹ in the Superior Court of Connecticut, Judicial District of Waterbury, dated May 23, 2018.

5. Attached hereto as Exhibit 2 is the complaint in *Sherlach v. Jones, et al.*, Case No. X06-UWY-CV-18-6046437-S, in the Superior Court of Connecticut, Judicial District of Waterbury, dated July 2, 2018.

6. Attached hereto as Exhibit 3 is the complaint in *Sherlach, et al. v. Jones, et al.* Case No. X06-UWY-CV-18-6046438-S, in the Superior Court of Connecticut, Judicial District of Waterbury, dated November 15, 2018 (together with *Lafferty* and *Sherlach*, the “Connecticut Action”).

7. Attached hereto as Exhibit 4 is a printed version of the docket from the Connecticut Action as of May 9, 2023.

8. Attached hereto as Exhibit 5 is the special motion to dismiss plaintiffs’ complaint filed by Jones in the Connecticut Action, dated November 21, 2018, docket number 113, cited in the Complaint at ¶ 64.

9. Attached hereto as Exhibit 6 is the order by Judge Bellis on the motion for limited discovery filed by Jones in the Connecticut Action, dated December 17, 2018, docket number 123.10, cited in the Complaint at ¶ 64.

10. Attached hereto as Exhibit 7 is an excerpt from the transcript of the June 18, 2019 hearing in the Connecticut Action, docket number 269, cited in the Complaint at ¶¶ 66–67.

11. Attached hereto as Exhibit 8 is the decision issued by the Connecticut Supreme Court, dated July 23, 2020.

¹ Terms not otherwise defined have the meaning given to them in Plaintiffs’ motion for summary judgment.

12. Following remand, Jones continued actively defending the case, including by seeking extensive discovery from every Plaintiff, including insisting on extensive production of Plaintiffs' medical records, personal email correspondence and other documents. Jones also deposed every Plaintiff but one.

13. Attached hereto as Exhibit 9 is the order regarding the motion for sanctions based on the Jones's violation of the protective order in the Connecticut Action, dated August 5, 2021, docket number 394.10, cited in the Complaint at ¶ 70.

14. Attached hereto as Exhibit 10 is the order by Judge Bellis regarding the motion for sanctions filed by Plaintiffs in the Connecticut Action, dated August 6, 2021, docket number 428.10, cited in the Complaint at ¶ 72.

15. Attached hereto as Exhibit 11 is the motion for sanctions re: Google Analytics & social media data filed by Plaintiffs in the Connecticut Action, dated August 24, 2021, docket number 450, cited in the Complaint at ¶ 65.

16. Attached hereto as Exhibit 12 is the order by Judge Bellis regarding the motion for sanctions re: Google Analytics & social media data filed by Plaintiffs in the Connecticut Action, dated September 30, 2021, docket number 450.20, cited in the Complaint at ¶ 73.

17. Attached hereto as Exhibit 13 is the transcript of the October 20, 2021 hearing in the Connecticut Action, dated October 22, 2021, docket number 525, cited in the Complaint at ¶ 71.

18. Attached hereto as Exhibit 14 is Plaintiffs' omnibus motion for default judgment, dated October 6, 2021, docket number 498, cited in the Complaint at ¶ 75.

19. Attached hereto as Exhibit 15 is the transcript of the November 15, 2021 hearing in the Connecticut Action, dated November 18, 2021, docket number 579, cited in the Complaint at

¶ 77.

20. Attached hereto as Exhibit 16 is the notice of defenses filed by Jones in the Connecticut Action, dated November 24, 2021, docket number 594, cited in the Complaint at ¶ 78.

21. Attached hereto as Exhibit 17 is the order by Judge Bellis regarding Plaintiffs' objection to the Jones's notice of defenses in the Connecticut Action, dated December 24, 2021, docket number 620.20, cited in the Complaint at ¶ 78.

22. Attached hereto as Exhibit 18 is the jury charge in the Connecticut Action, cited in the Complaint at ¶ 83.

23. On September 13, 2022, the Connecticut Action proceeded to a trial on damages. The testimony of twenty-five witnesses was presented, including Jones; Brittany Paz, FSS's designee; and FSS employees or former employees David Jones, Rob Dew, Tim Fruge, Joshua Owens, Robert Jacobson and Jacob Acosta. Each Plaintiff testified and 405 full exhibits were entered into evidence.

24. When it was Jones's turn to present evidence, he called no witnesses and chose not to testify on direct. Jones's counsel played only one video, which was already in evidence, and rested.

25. Attached hereto as Exhibit 19 is the jury verdict in the three consolidated cases in the Connecticut Action, dated October 12, 2022, docket number 1010, cited in the Complaint at ¶¶ 9, 84.

26. Attached as Exhibit 20 is the memorandum in support of the award of punitive damages filed by Plaintiffs in the Connecticut Action, dated October 21, 2022, docket number 1018.

27. Attached hereto as Exhibit 21 is the memorandum in opposition to the award of

punitive damages filed by Jones in the Connecticut Action, dated October 28, 2022, docket number 1021, cited in the Complaint at ¶ 89.

28. Attached hereto as Exhibit 22 is the memorandum of decision on punitive damages issued by Judge Bellis in the Connecticut Action, dated November 10, 2022, docket number 1026, cited in the Complaint at ¶¶ 9, 80, 90–98.

29. Attached hereto as Exhibit 23 is the memorandum of decision issued by Judge Bellis denying the motions by Alex Jones and FSS for a new trial and for remittitur in the Connecticut Action, dated December 22, 2022, docket number 1043, cited in the Complaint at ¶ 9.

30. Attached hereto as Exhibit 24 is the appeal to the Connecticut Appellate Court in the Connecticut Action, dated December 29, 2022, docket number 1050, cited in the Complaint at ¶ 99.

31. Attached hereto as Exhibit 25 is Volume II of the September 13, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶¶ 53–55.

32. Attached hereto as Exhibit 26 is Volume III of the September 13, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 56.

33. Attached hereto as Exhibit 27 is Volume I of the September 14, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 30.

34. Attached hereto as Exhibit 28 is Volume II of the September 14, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 31.

35. Attached hereto as Exhibit 29 is Volume II of the September 15, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 44.

36. Attached hereto as Exhibit 30 is Volume II of the September 16, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 51.

37. Attached hereto as Exhibit 31 is Volume I of the September 20, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 49.

38. Attached hereto as Exhibit 32 is Volume III of the September 20, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 50.

39. Attached hereto as Exhibit 33 is Volume III of the September 21, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 55.

40. Attached hereto as Exhibit 34 is Volume IV of the September 21, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶¶ 53, 58.

41. Attached hereto as Exhibit 35 is Volume II of the September 22, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 81.

42. Attached hereto as Exhibit 36 is Volume II of the September 27, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 55.

43. Attached hereto as Exhibit 37 is Volume I of the September 27, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶¶ 55, 58.

44. Attached hereto as Exhibit 38 is Volume III of the September 27, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 59.

45. Attached hereto as Exhibit 39 is Volume I of the September 29, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶¶ 54, 58–59.

46. Attached hereto as Exhibit 40 is Volume II of the September 29, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 57.

47. Attached hereto as Exhibit 41 is Volume I of the October 4, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶¶ 55, 57.

48. Attached hereto as Exhibit 42 is Volume II of the October 4, 2022 Trial Transcript

in the Connecticut Action, cited in the Complaint at ¶¶ 53, 55, 57.

49. Attached hereto as Exhibit 43 is Volume III of the October 4, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶ 59.

50. Attached hereto as Exhibit 44 is Plaintiffs' Trial Exhibit 1a in the Connecticut Action, dated December 14, 2012, cited in the Complaint at ¶ 34.

51. [Intentionally left blank]

52. Attached hereto as Exhibit 46 is Plaintiffs' Trial Exhibit 6b in the Connecticut Action, dated January 27, 2013, cited in the Complaint at ¶ 48.

53. Attached hereto as Exhibit 47 is Plaintiffs' Trial Exhibit 13d in the Connecticut Action, dated February 3, 2014, cited in the Complaint at ¶ 32.

54. Attached hereto as Exhibit 48 is Plaintiffs' Trial Exhibit 17f in the Connecticut Action, dated May 13, 2014, cited in the Complaint at ¶ 48.

55. [Intentionally left blank]

56. Attached hereto as Exhibit 50 is Plaintiffs' Trial Exhibit 19i in the Connecticut Action, dated September 25, 2014, cited in the Complaint at ¶ 48.

57. Attached hereto as Exhibit 51 is Plaintiffs' Trial Exhibit 20a in the Connecticut Action, dated December 27, 2014, cited in the Complaint at ¶ 48.

58. Attached hereto as Exhibit 52 is Plaintiffs' Trial Exhibit 22a in the Connecticut Action, dated December 28, 2014, cited in the Complaint at ¶ 45.

59. Attached hereto as Exhibit 53 is Plaintiffs' Trial Exhibit 23a in the Connecticut Action, dated January 13, 2016, cited in the Complaint at ¶ 46.

60. Attached hereto as Exhibit 54 is Plaintiffs' Trial Exhibit 27 in the Connecticut Action, dated June 3, 2015, cited in the Complaint at ¶¶ 32, 39.

61. Attached hereto as Exhibit 55 is Plaintiffs' Trial Exhibit 35c in the Connecticut Action, dated November 18, 2016, cited in the Complaint at ¶ 48.

62. Attached hereto as Exhibit 56 is Plaintiffs' Trial Exhibit 35e in the Connecticut Action, dated November 18, 2016, cited in the Complaint at ¶ 47.

63. Attached hereto as Exhibit 57 is Plaintiffs' Trial Exhibit 37a in the Connecticut Action, dated June 12, 2017, cited in the Complaint at ¶ 32.

64. Attached hereto as Exhibit 58 is Plaintiffs' Trial Exhibit 50 in the Connecticut Action, which is undated, cited in the Complaint at ¶ 51.

65. Attached hereto as Exhibit 59 is Plaintiffs' Trial Exhibit 61 in the Connecticut Action, dated December 19, 2012, cited in the Complaint at ¶ 36.

66. Attached hereto as Exhibit 60 is Plaintiffs' Trial Exhibit 67 in the Connecticut Action, dated September 24, 2014, cited in the Complaint at ¶ 44.

67. Attached hereto as Exhibit 61 is Plaintiffs' Trial Exhibit 109 in the Connecticut Action, dated January 29, 2013, cited in the Complaint at ¶ 38.

68. Attached hereto as Exhibit 62 is Plaintiffs' Trial Exhibit 135 in the Connecticut Action, dated October 14, 2014, cited in the Complaint at ¶ 44.

69. Attached hereto as Exhibit 63 is Plaintiffs' Trial Exhibit 134 in the Connecticut Action, dated October 19, 2014, cited in the Complaint at ¶ 44.

70. Attached hereto as Exhibit 64 is Plaintiffs' Trial Exhibit 160 in the Connecticut Action, dated December 17, 2015, cited in the Complaint at ¶ 35.

71. Attached hereto as Exhibit 65 is Plaintiffs' Trial Exhibit 212 in the Connecticut Action, dated May 7, 2013, cited in the Complaint at ¶ 31.

72. Attached hereto as Exhibit 66 is Plaintiffs' Trial Exhibit 216 in the Connecticut

Action, dated December 31, 2014, cited in the Complaint at ¶ 31.

73. Attached hereto as Exhibit 67 is Plaintiffs' Trial Exhibit 217 in the Connecticut Action, dated December 31, 2014, cited in the Complaint at ¶ 30.

74. Attached hereto as Exhibit 68 is Plaintiffs' Trial Exhibit 278a in the Connecticut Action, dated December 31, 2018, cited in the Complaint at ¶ 44.

75. Attached hereto as Exhibit 69 is Plaintiffs' Trial Exhibit 336a in the Connecticut Action, dated May 16, 2019, cited in the Complaint at ¶ 32.

76. Attached hereto as Exhibit 70 is Plaintiffs' Trial Exhibit 508 in the Connecticut Action, dated September 18, 2022, cited in the Complaint at ¶ 32.

77. Attached hereto as Exhibit 71 is Plaintiffs' Trial Exhibit 550 in the Connecticut Action, dated December 12, 2014, cited in the Complaint at ¶ 36.

78. Attached hereto as Exhibit 72 is Plaintiffs' Trial Exhibit 594 in the Connecticut Action, dated September 29, 2022, cited in the Complaint at ¶ 52.

79. Attached hereto as Exhibit 73 is Plaintiffs' Trial Exhibit 195 in the Connecticut Action.

80. Attached hereto as Exhibit 74 is the ruling by Judge Bellis on Plaintiffs' motion for default judgment, dated November 15, 2021, docket number 574, cited in the Complaint at ¶ 76.

81. Attached hereto as Exhibit 75 is Volume III of the September 15, 2022 Trial Transcript in the Connecticut Action.

82. Attached hereto as Exhibit 76 is Volume I of the September 21, 2022 Trial Transcript in the Connecticut Action, cited in the Complaint at ¶¶ 55.

83. Attached hereto as Exhibit 77 is Volume I of the September 22, 2022 Trial Transcript in the Connecticut Action.

84. Attached hereto as Exhibit 78 is Volume III of the September 22, 2022 Trial Transcript in the Connecticut Action.

85. Attached hereto as Exhibit 79 is Plaintiffs' Trial Exhibit 6a in the Connecticut Action, dated January 27, 2013, cited in the Complaint at ¶ 37.

86. Attached hereto as Exhibit 80 is Plaintiffs' Trial Exhibit 6c in the Connecticut Action, dated January 27, 2013, cited in the Complaint at ¶ 37.

87. Attached hereto as Exhibit 81 is Plaintiffs' Trial Exhibit 9a in the Connecticut Action, dated April 9, 2013, cited in the Complaint at ¶ 40.

88. Attached hereto as Exhibit 82 is Plaintiffs' Trial Exhibit 17 in the Connecticut Action, dated May 13, 2014, , cited in the Complaint at ¶ 42.

89. Attached hereto as Exhibit 83 is Plaintiffs' Trial Exhibit 397a in the Connecticut Action, dated November 23, 2013.

90. Attached hereto as Exhibit 84 is Plaintiffs' Trial Exhibit 245 in the Connecticut Action, dated March 16, 2022.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



Alinor C. Sterling

STATE OF CONNECTICUT)) ss. Bridgeport
COUNTY OF FAIRFIELD))

Subscribed and sworn to before me this 12 day of May, 2023.

WITNESS MY OFFICIAL SEAL:

2023.
Chris Edman
Notary Public

Notary Public

My commission expires:

CHERYL EDELMANN
Notary Public, State of Connecticut
My Commission Expires Jul 31, 2025